

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DEPARTMENT OF TOXIC  
SUBSTANCES CONTROL,

Plaintiff,

vs.

HERCULES INCORPORATED,  
et al.,

Defendants.

CASE NO. CV F 96-5879 LJO DLB

**ORDER TO ENTER CONSENT  
DECREE**  
(Doc. 500.)

California Department of Toxic Substances Control ("DTSC"), BNSF Railway Company and Hercules Incorporated (collectively "consenting parties") have entered into a Consent Decree, which was submitted to this Court on December 20, 2011. No timely opposition papers have been filed to oppose this Court's approval of the Consent Decree. On the basis of good cause, this Court APPROVES the Consent Decree and VACATES the January 18, 2012 hearing on DTSC's motion to approve the Consent Decree. *See* Local Rule 230(c).

The Consent Decree constitutes this Court's final judgment as to and among the consenting parties pursuant to F.R.Civ.P. 54 and 58. This Court ORDERS DTSC, no later than January 19, 2012, to file a status report to address its plans to pursue claims against remaining parties and to conclude this action.

IT IS SO ORDERED.

**Dated: January 5, 2012**

**/s/ Lawrence J. O'Neill**

UNITED STATES DISTRICT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28